

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROGER KIRK,

Plaintiff,

CIVIL ACTION NO. 07-CV-14146-DT

vs.

DISTRICT JUDGE PAUL D. BORMAN

MICHAEL KULWICKI,
et al.,

MAGISTRATE JUDGE MONA K. MAJZOUN

Defendants.

_____/

**ORDER DENYING PLAINTIFF'S MOTION FOR
THE APPOINTMENT OF COUNSEL**

This matter is before the Court on Plaintiff's Motion to Appoint Counsel filed on May 8, 2008. (Docket no. 37). Plaintiff seeks either the appointment of counsel or an order authorizing a fellow inmate to assist him in this action.

After considering the proper factors, the Court concludes that the appointment of counsel for Plaintiff in this action at this time is not warranted. *See Lavado v. Keohane*, 992 F.2d 601, 605-06 (6th Cir. 1993).

IT IS THEREFORE ORDERED that Plaintiff's Motion to Appoint Counsel (docket no. 37) is **DENIED**.

NOTICE TO PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: May 16, 2008

s/ Mona K. Majzoub
MONA K. MAJZOUN
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that copy of this Order was served upon Roger Kirk and Counsel of Record on this date.

Dated: May 16, 2008

s/ Lisa C. Bartlett
Courtroom Deputy